



JUN 28 2004 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY'S DOCKET: REIMANN1

In re Application of:) Conf. No.: 8928
REIMANN et al.) Art Unit: 1632
Appn. No.: 09/241,595) Examiner: A. M. S. Wehbe
Filed: February 2, 1999) Washington, D.C.
For: DELIVERY OF IMMUNOGENIC MOLECULES) June 28, 2004
VIA HBsAg PARTICLES)
)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated January 28, 2004, of the Primary Examiner. The claims appealed are claims 1, 4-11, 14-19, 22-27, and 29-35.

The item(s) checked below are appropriate:

The fee has been calculated as shown below:

\$330.00

\$165.00 (small entity)

Not required (fee paid in prior appeal on November 5, 2002)

Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

First - \$ 55.00
 Second - \$210.00
 Third - \$475.00
 Fourth - \$740.00

month after time period set

Other Than Small Entity
Response Filed Within

First - \$ 110.00
 Second - \$420.00
 Third - \$950.00
 Fourth - \$1480.00

month after time period set

Less fees (\$ 55.00) already paid for 1 months extension of time on May 28, 2004.

26/2004 A check in the amount of \$ 155.00 is attached. (Check No. 00000001)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 155.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Allen C. Yun
Registration No. 37,971

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Facsimile No.: (202) 737-3528

Adjustment date: 11/02/2004 SDIRETAA1
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01 FC:2401 165.00 CR

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PATENT MAIN EXAMINER
DIVISION
Room 307

204 SEP 27 AM 10:13



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: REIMANN=1

In re Application of:) Attn: Mr. David Antolini
REIMANN, Jorg) Mr. Dale Hughes
) Refund Section
) Crystal Park One
) Room 800
Appln. No.: 09/241,595)
)
Filed: February 02, 1999) Washington, D.C.
)
For: DELIVERY OF IMMUNOGENIC) September 21, 2004
MOLECULES VIA HBSAG)
PARTICLES) Confirmation No. 8928

REQUEST FOR REFUND

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

According to the monthly Deposit Account Statement dated August 18, 2004 (copy attached), our account was charged \$165.00 for the Notice of Appeal filing fee. However, the charged amount of \$165.00 had been previously paid on November 5, 2002 (credit card payment), and so the Deposit Account charge was a double charge.

Pursuant to 37 C.F.R. §1.28(a), request is hereby made for refund of \$ 165.00 fee paid in the above-identified application on November 5, 2002.

The undersigned hereby requests that the refund due in the amount of \$165.00 be credited to deposit account no. 02-4035 rather than being refunded by check.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By


Allen C. Yun
Registration No. 37,971

ACY:tw

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DATE	REF ID	NAME	ACCT	AMOUNT	AMOUNT	
07/23	167	1034633 1151	GOLDBERG2	8021	\$40.00	\$12,101.52
07/23	168	09935250 MARIA	BLATT2	8021	\$40.00	\$12,061.52
07/23	169	10396389 1151	GNEDENKO2	8021	\$40.00	\$12,021.52
07/23	170	09953301 1151	ANDRYSIAK2	8021	\$40.00	\$11,981.52
07/23	171	10473721 1151	SHECHTER5	8021	\$40.00	\$11,941.52
07/23	172	10677777 0RAK	TCOVEY-5A	8021	\$40.00	\$11,901.52
07/23	173	10398398 1151	GNEDENKO3	8021	\$40.00	\$11,861.52
07/24	1	10332712 1151	REINHOLD2	2202	\$100.00	\$11,861.52
07/26	3	10332712 1151	FISCHER13	2202	\$324.00	\$11,372.52
07/27	1	76495191 0RAK	ASLEE1	6003	\$100.00	\$11,272.52
07/27	2	10663860 5HMD	ARIYASU2	1053	-\$130.00	\$11,402.52
07/27	131	10486648 1151	BYMOSE1	2617	\$10.00	\$11,392.52
07/28	2	09791384 1151	LASSSEN1A	2252	\$210.00	\$11,182.52
07/28	32	09832818	10417-077001	2251	\$55.00	\$11,127.52
07/28	132	10899120 1151	ISHII2	1202	\$180.00	\$10,947.52
07/28	133	10899120 1151	ISHII2	1203	\$290.00	\$10,657.52
07/28	230	PCT/US04/234100	KARAOLIS1PCT	1703	\$268.00	\$10,391.52
07/28	232	PCT/US04/234100	KARAOLIS1PCT	8007	\$20.00	\$10,371.52
07/29	2	10491389 0RAK	BINDER22	2611	\$80.00	\$10,291.52
07/29	2	10332713 1151	JENSENIUS4	2201	\$43.00	\$10,248.52
07/29	3	10332713 1151	JENSENIUS4	2202	\$18.00	\$10,230.52

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$9,793.52	\$5,795.00	\$6,202.00	\$10,230.52

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